The Hon'ble Sri Justice D.S.R.Varma

Writ Petition No.27162 of 1998

Dated:05-7-2006

Between:

M.V.Bhaskara
Rao.
.....Petitioner

And

1.Life Insurance Corporation of India,rep. by its
Chairman,Yogakshema,Jeevan Bhima Marg,
Mumbai-400 021 and four
others.
..Respondents.

The Hon'ble Sri Justice D.S.R.Varma

Writ Petition No.27162 of 1998

Oral Order:-

Heard.

Petitioner seeks a writ of Mandamus to declare the impugned orders of the 1st respond Ref.No.Mktg/A/14(Spl), dated 17.6.1994 confirming the orders of the 2nd respondent in Ref.Mktg/Sales, 11.11.1993 and of the 4th respondent dated 24.3.1992 terminating his L.I.C. Agency as illegal and arbitra

It appears that the petitioner was appointed as an Agent of the Life Insurance Corporation of Inc upon noticing certain irregularities, alleged to have been committed by the petitioner, c recommendations have been made for termination of his agency. Eventually, by following the due proc the L.I.C.agency of the petitioner was terminated by the respondents. The said order of termination has confirmed by the higher authorities of the Life Insurance Corporation of India.

This writ petition, in fact, is not maintainable since the petitioner was appointed only as an Ag the Life Insurance Corporation of India, which involves privity of contract between the petitioner a respondents, in which event only a suit ought to have been filed by the petitioner. But, having regard other facts and circumstances, without going into this aspect, this writ petition is liable to be disr inasmuch as there is no illegality committed by the respondents in passing the impugned orders.

In the result, this writ petition is dismissed. However, liberty is granted to the petitioner to m representation to the respondents for the purpose mentioned in the writ petition, including his claim rela the Agency commission alleged to be due and payable to him for the period he worked as L.I.C.Agent. A when such a representation is made by the petitioner to the respondents, the respondents may consic same and pass appropriate orders thereon as per law and in accordance with the Rules applicable t within two months from the date of making representation by the petitioner and communicate the same petitioner. No costs.

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05-7-2006 **D.S.R.Varma, J**

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